

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2180

Introduced by Assembly Member Bill Berryhill

February 18, 2010

~~An act to amend Section 15820.90 of the Government Code, relating to jail facilities. An act to add Chapter 9.9 (commencing with Section 6280) to Title 7 of Part 3 of the Penal Code, relating to prison medical facilities.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2180, as amended, Bill Berryhill. ~~Financing jail facilities. Prisons:~~ *medical treatment facilities.*

Existing law authorizes the Department of Corrections and Rehabilitation to construct and establish new buildings at facilities under the jurisdiction of the department to provide medical, dental, and mental health treatment or housing for 6,000 inmates. Existing law additionally authorizes the department to design, construct, and establish new buildings at facilities under the jurisdiction of the department to provide medical, dental, and mental health treatment or housing for 2,000 inmates.

This bill would require the department to engage in certain activities prior to designing, constructing, or establishing one of these new medical, dental, or mental health treatment facilities, including, but not limited to, identifying and analyzing all possible social and economic impacts that may result from the construction and operation of the facility and fully mitigating those impacts to the extent possible, preparation of a social and economic impact report to address the possible impacts resulting from the construction and operation of the

facility, and meeting and conferring in good faith with county and city representatives to reach mutually satisfactory resolution of all disputes relating to the social and economic impacts reasonably arising from or related to the facility and the sufficiency of proposed mitigation measures.

~~Existing law defines a “participating county” for purposes of provisions of law establishing jail construction financing programs, as specified.~~

~~This bill would make a technical, nonsubstantive change to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 9.9 (commencing with Section 6280) is
2 added to Title 7 of Part 3 of the Penal Code, to read:

3
4 CHAPTER 9.9. MEDICAL, DENTAL, AND MENTAL HEALTH
5 TREATMENT FACILITIES

6
7 6280. For purposes of this chapter, “facility” means medical,
8 dental, and mental health treatment or housing facilities authorized
9 pursuant to subdivision (c) of Section 15819.40 and subdivision
10 (b) of Section 15819.41 of the Government Code.

11 6281. Prior to designing, constructing, or establishing a new
12 facility, the department shall do all of the following:

13 (a) The department shall identify and analyze all possible social
14 and economic impacts that may result from the construction and
15 operation of the facility, including, but not limited to, impacts on
16 resources in the local labor pool, sufficiency of the local labor
17 pool, impacts on the affected city, county, or city and county
18 resulting from increased demands for social services, and impacts
19 on law enforcement, local courts, and coroner services. Each
20 impact shall be fully mitigated to the extent possible.

21 (b) The department shall prepare a social and economic impact
22 report to address the possible impacts resulting from the
23 construction and operation of the facility.

24 (1) The report shall identify each impact, explain the
25 methodology used to identify and quantify the impact, and identify

1 *and explain the efficacy of the proposed mitigation methods for*
2 *each impact.*

3 *(2) The report shall, with a reasonable degree of certainty,*
4 *provide an estimate of the quantity of jobs from the facility that*
5 *will likely be made available to local residents and explain the*
6 *methodology used to estimate the jobs likely to be available to*
7 *local residents.*

8 *(c) Within 10 days of submitting the draft environmental impact*
9 *report or negative declaration to the State Clearinghouse as*
10 *required by the California Environmental Quality guidelines*
11 *(Section 15205 of Title 14 of the California Code of Regulations),*
12 *the department shall provide copies of the social and economic*
13 *impact report to the clerk of the board of supervisors for the county*
14 *where the facility is to be located and to the city clerk for each city*
15 *within 10 miles of the facility location.*

16 *(d) The department shall meet and confer in good faith with*
17 *county and city representatives, if desired by the applicable city*
18 *or county, to reach a mutually satisfactory resolution of all disputes*
19 *relating to the social and economic impacts reasonably arising*
20 *from or related to the facility and the sufficiency of the proposed*
21 *mitigation measures.*

22 ~~SECTION 1. Section 15820.90 of the Government Code is~~
23 ~~amended to read:~~

24 ~~15820.90. For the purposes of this chapter, the term~~
25 ~~“participating county” means any county, or regional consortium~~
26 ~~of counties, within the state that has been certified to the State~~
27 ~~Public Works Board (SPWB) by the Department of Corrections~~
28 ~~and Rehabilitation (CDCR) as having satisfied all of the~~
29 ~~requirements set forth in Section 15820.906 for financing a local~~
30 ~~jail facility pursuant to this chapter.~~